

SUPREME COURT OF KENTUCKY

MINUTES

JANUARY 22, 2004

RELEASED: 2:00 P.M.

1. REBECCA L. MILLER, ETC., ET AL V. 2001-SC-000587-DG LAUREL
MARYMOUNT MEDICAL CENTER **TO BE PUBLISHED**
D/B/A MARYMOUNT HOSPITAL
OPINION OF THE COURT BY
JUSTICE COOPER – AFFIRMING
2. GEORGE HUMFLEET MOBILE 2003-SC-000047-WC FROM COURT
HOMES V. **TO BE PUBLISHED** OF APPEALS
DENNIS CHRISTMAN, ET AL
OPINION OF THE COURT
AFFIRMING
3. MORRIS VARBLE V. 2001-SC-000230-MR HENDERSON
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE COOPER – AFFIRMING
IN PART, REVERSING IN PART,
VACATING IN PART, AND REMANDING
LAMBERT, C.J., CONCURS BY SEPARATE
OPINION, WITH GRAVES AND
WINTERSHEIMER, JJ. JOINING THAT
CONCURRING OPINION.
4. SANDRA C. BROOKS, ET AL V. 2001-SC-000816-DG FAYETTE
THE LEXINGTON-FAYETTE URBAN **TO BE PUBLISHED**
COUNTY HOUSING AUTHORITY, ET AL
OPINION OF THE COURT BY JUSTICE
JOHNSTONE – AFFIRMING IN PART,
REVERSING IN PART AND REMANDING.
LAMBERT, C.J., CONCURS AS TO PARTS
I, II, IV, V, VI, VII, AND VIII, AND DISSENTS AS
TO PART III BY SEPARATE OPINION, IN WHICH
HE IS JOINED BY GRAVES AND COOPER, JJ.
COOPER, J., DISSENTS BY SEPARATE OPINION,
IN WHICH GRAVES, J., JOINS AS TO PART I.
GRAVES, J., CONCURS AS TO PARTS II, IV, V, VI,
VII, AND VIII, JOINS THE DISSENT OF COOPER, J.,
AS TO PART I, AND JOINS THE DISSENT OF
LAMBERT, C.J., AS TO PART III.

SUPREME COURT OF KENTUCKY

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KELLER, J., CONCURS AS TO PARTS 1(A), I(B)(ii & iii), IV, VI, VII, AND VIII AND, BY SEPARATE OPINION IN WHICH HE IS JOINED IN PART BY STUMBO, J., WRITES SEPARATELY AS TO PART II, AND CONCURS IN RESULT ONLY AS TO PARTS I(B)(i), III, AND V. STUMBO, J., CONCURS AS PARTS 1, IV, VI, VII, AND VIII, CONCURS IN RESULT ONLY AS TO PARTS III AND V, AND JOINS THE SEPARATE CONCURRING OPINION OF KELLER, J., IN PART AS TO THE ANALYSIS OF PARTS II, III, AND IV.

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| 5. | KROGER COMPANY V.
YVONNE JONES, ET AL
OPINION OF THE COURT
AFFIRMING IN PART AND
REVERSING IN PART. | 2003-SC-000033-WC
TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 6. | JENNIFER PAIGE SEXTON V.
LARRY DUANE SEXTON
OPINION OF THE COURT BY
JUSTICE KELLER – AFFIRMING IN
PART, REVERSING AND REMANDING
IN PART. | 2001-SC-000204-DG
TO BE PUBLISHED | FAYETTE |
| 7. | JAMES PHELPS V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE STUMBO – REVERSING
AND REMANDING. GRAVES AND
WINTERSHEIMER, JJ., CONCUR IN
RESULT ONLY. | 2001-SC-000554-DG
TO BE PUBLISHED | MADISON |

SUPREME COURT OF KENTUCKY

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8. KENT HILL V. 2002-SC-000077-MR MUHLENBERG
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE COOPER - REVERSING
AND REMANDING. WINTERSHEIMER,
J., DISSENTS BY SEPARATE OPINION,
WITH LAMBERT, C.J., AND GRAVES, J.,
JOINING THAT DISSENTING OPINION.
9. KENNY RAPIER, ETC., ET AL V. 2002-SC-000374-DG FRANKLIN
EDDIE PHILPOT, ET AL **TO BE PUBLISHED**
AND
KENTUCKY PERSONNEL BOARD V. 2002-SC-000407-DG FRANKLIN
THE TOURISM DEVELOPMENT **TO BE PUBLISHED**
CABINET, ET AL
OPINION OF THE COURT BY
JUSTICE JOHNSTONE –
REVERSING. STUMBO, J.,
DISSENTS BY SEPARATE OPINION,
WITH GRAVES AND KELLER, JJ.,
JOINING THAT DISSENTING OPINION.
10. ROBERT L. WHITTAKER, ETC., V. 2003-SC-000048-WC FROM COURT
CYNTHIA K. HALL, ETC., ET AL **TO BE PUBLISHED** OF APPEALS
OPINION OF THE COURT –
REVERSING. COOPER, J.,
FILES A SEPARATE OPINION
CONCURRING IN PART AND
DISSENTING IN PART.

SUPREME COURT OF KENTUCKY

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RELEASED: 2:00 P.M.

11. PAUL E. PATTON, ETC., ET AL V. 1999-C-001036-TG FRANKLIN
BOBBY L. TIMBROOK, ET AL TO BE PUBLISHED
AND
CATHY M. WISE, ET AL V. 1999-SC-001165-DG FRANKLIN
BRERETON C. JONES, ETC., ET AL TO BE PUBLISHED
OPINION OF THE COURT BY
JUSTICE KELLER – REVERSING IN
1999-SC-1036-TG AND AFFIRMING
IN 1999-SC-1165-DG. STUMBO AND
WINTERSHEIMER, JJ., DISSENT
WITHOUT OPINION.
12. RICKY LAMMORIS HOLLIE V, 2002-SC-000043-MR DAVIESS
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – AFFIRMING. KELLER, J.,
CONCURS IN RESULT ONLY. NOT TO BE PUBLISHED
13. KEITH GUY V. 2002-SC-000412-MR FAYETTE
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – AFFIRMING. NOT TO BE PUBLISHED
14. JOSEPH BERTRAND CAVE V. 2002-SC-000710-MR JEFFERSON
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – AFFIRMING. KELLER, J.,
CONCURS IN RESULT ONLY. NOT TO BE PUBLISHED
15. MICHAEL RAY HOWARD V. 2002-SC-000854-MR WHITLEY
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – AFFIRMING. LAMBERT,
C. J., CONCURS IN RESULT ONLY. NOT TO BE PUBLISHED

SUPREME COURT OF KENTUCKY

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16. JOHN PATRICK DOOLAN V. 2002-SC-000865-MR JEFFERSON
COMMONWEALTH OF KENTUCKY NOT TO BE PUBLISHED
MEMORANDUM OPINION OF THE
COURT – AFFIRMING. KELLER, J.,
CONCURS BY SEPARATE OPINION,
WITH GRAVES, J., JOINING THAT
SEPARATE OPINION.
17. THE HAMILTON-RYKER CO., INC. V. 2002-SC-000983-WC FROM COURT
BRENDA TALBOTT, ET AL NOT TO BE PUBLISHED OF APPEALS
MEMORANDUM OPINION OF THE
COURT – AFFIRMING
18. GEORGE SMITH V. 2002-SC-000988-TG GRAVES
COMMONWEALTH OF KENTUCKY NOT TO BE PUBLISHED
MEMORANDUM OPINION OF THE
COURT – AFFIRMING. KELLER, J.,
CONCURS BY SEPARATE OPINION
IN WHICH STUMBO, J., JOINS.
19. BIG BOTTOM COAL COMPANY V. 2002-SC-0001093-WC FROM COURT
LESTER HATFIELD, ET AL NOT TO BE PUBLISHED OF APPEALS
MEMORANDUM OPINION OF THE
COURT – AFFIRMING.
20. PAUL E. DAVIDSON, II V. 2003-SC-000090-WC FROM COURT
WHITAKER COAL CORP., ET AL NOT TO BE PUBLISHED OF APPEALS
MEMORANDUM OPINION OF THE
COURT – AFFIRMING.
21. OBIDENE JOHNSON V. 2003-SC-000203-MR FAYETTE
COMMONWEALTH OF KENTUCKY NOT TO BE PUBLISHED
MEMORANDUM OPINION OF THE
COURT – AFFIRMING.
22. ANDY VANOVER V. 2003-SC-000088-WC FROM COURT
WHITAKER COAL CORP., ET AL NOT TO BE PUBLISHED OF APPEALS
MEMORANDUM OPINION OF THE
COURT – AFFIRMING.

SUPREME COURT OF KENTUCKY

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RELEASED: 2:00 P.M.

23. CHESTER SLIM SEXTON V, 2001-SC-000852-MR CHRISTIAN
COMMONWEALTH OF KENTUCKY NOT TO BE PUBLISHED
MEMORANDUM OPINION OF THE
COURT – REVERSING AND REMANDING.
WINTERSHEIMER, J., CONCURS IN
RESULT ONLY.

OPINION AND ORDERS

DAVID BRENT THOMAS V. 2002-SC-000627-MR FAYETTE
COMMONWEALTH OF KENTUCKY NOT TO BE PUBLISHED
ORDER REMANDING

KELLER, J., CONCURS IN THE MAJORITY
OPINION'S DECISION TO REMAND THIS
CASE FOR THE TRIAL COURT TO DETERMINE
WHETHER A RETROSPECTIVE COMPETENCY
HEARING IS PER MISSIBLE AND, IF SO, TO
CONDUCT SUCH A HEARING, BUT DISSENTS
IN PART TO THE EXTENT THAT HE WOULD
ALSO ADDRESS THE OTHER ALLEGATIONS
OF ERROR RAISED IN APPELLANT'S BRIEF,
WHICH DO NOT APPEAR TO DEMONSTRATE
ANY REVERSIBLE ERROR.

ENTERED: JANUARY 22, 2004

DONALD L. RILEY V. 2002-SC-000742-D MEADE
COMMONWEALTH OF KENTUCKY
ORDER GRANTING MOTION FOR
DISCRETIONARY REVIEW, COURT
OF APPEALS DECISION IS VACATED
AND CASE IS REMANDED TO COURT
OF APPEALS.

ENTERED: JANUARY 14, 2004

SUPREME COURT OF KENTUCKY

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RELEASED: 2:00 P.M.

OPINION AND ORDERS

DAMON MCCORMICK V. 2003-SC-000222-D HENDERSON
COMMONWEALTH OF KENTUCKY
**ORDER GRANTING MOTION FOR
DISCRETIONARY REVIEW, COURT
OF APPEALS DECISION IS VACATED
AND CASE IS REMANDED TO COURT
OF APPEALS.**
ENTERED: JANUARY 14, 2004

KENTUCKY BAR ASSOCIATION V. 2003-SC-000937-KB IN SUPREME
RICHARD MARK EDWARDS TO BE PUBLISHED COURT
**ORDERS A PUBLIC REPRIMAND OF
RESPONDENT.**
ENTERED: JANUARY 22, 2004.

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW ENTERED-
JANUARY 14, 2004**

MITCHELL ANDREW WILLIAMS V. 2003-SC-000054-DG BELL
TERESA ANN MILLS WILLIAMS
(NOW JEWELL)

CITY OF LOUISVILLE V. 2003-SC-000851-DG JEFFERSON
BRANDON LUMPKINS, MINOR BY
PARENT AND NEXT FRIEND LATONIA
LUMPKINS, ET AL

BRNDA LYNN V. 2002-SC-001075-D JEFFERSON
GERALD W. BURKE

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW ENTERED -
JANUARY 14, 2004**

SHANNA LYNN MILLER BAILES V. 2002-SC-000319-D BOYD
DONALD ERNEST PETRELLA, JR.

SUPREME COURT OF KENTUCKY

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**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW ENTERED –
JANUARY 14, 2004**

SUDHIDEB MUKHERJEE, M.D. V. HOSPITAL CORPORATION OF KENTUCKY, INC., ET AL	2002-SC-000913-D	SCOTT
MICHAEL WAYNE LONG V. COMMONWEALTH OF KENTUCKY	2003-SC-000014-D	OLDHAM
OTIS MARTIN V. COMMONWEALTH OF KENTUCKY	2003-SC-000030-D	JEFFERSON
CAMPBELL COUNTY FIRE DISTRICT NO. 2, ET AL V. BRIAN THEISMAN, ET AL	2003-SC-000036-D	CAMPBELL
AUBREY BEATTY V. KENNETH E. GOFF, ET AL	2003-SC-000038-D	GRAYSON
LARRY JAMES KEETON V. CORA ROBERTA KEETON	2003-SC-000043-D	LAWRENCE
MARY O'NEAL V. MICHAEL O'NEAL	2003-SC-000063-D	BOYD
ROBERT BRUCE PEACH V. COMMONWEALTH OF KENTUCKY	2003-SC-000073-D	MONTGOMERY
BRENDA COUCH V. BOARD OF TRUSTEES FOR THE KENTUCKY RETIREMENT SYSTEMS	2003-SC-000077-D	FRANKLIN
CONSECO FINANCE SERVICING CORP. V. INTEGRA BANK	2003-SC-000082-D	DAVISS
C.E., A CHILD V. COMMONWEALTH OF KENTUCKY	2003-SC-000087-D	JEFFERSON

SUPREME COURT OF KENTUCKY

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**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW ENTERED –
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MARK A. DOWELL V. COMMONWEALTH OF KENTUCKY	2003-SC-000118-D	MEADE
MAURICE WEBB V. DANNY FLYNN, ET AL	2003-SC-000133-D	PULASKI
JERRY ALLEN RUNNINGEN V. COMMONWEALTH OF KENTUCKY	2003-SC-000134-D	LARUE
DONNIE RAY DURHAM V. COMMONWEALTH OF KENTUCKY	2003-SC-000139-D	MCLEAN
GERALD LEE FERGUSON V. COMMONWEALTH OF KENTUCKY	2003-SC-000159-D	JEFFERSON
JAMES EDWARD AMES V. COMMONWEALTH OF KENTUCKY	2003-SC-000231-D	CLARK
JERRY DEAN CHARLES V. THOMAS WAYNE CHARLES, ET AL	2003-SC-000285-D	PIKE
DARRELL BECKNELL, ET AL V. OWSLEY COUNTY, ET AL	2003-SC-000290-D	OWSLEY
EDWAIN O'BRYAN STARKS V. COMMONWEALTH OF KENTUCKY	2003-SC-000335-D	JEFFERSON
JA-RON TEAGUE V. JAMES L. MORGAN	2003-SC-000340-D	BOYLE
ROBERT GRAY V. COMMONWEALTH OF KENTUCKY	2003-SC-000345-D	JEFFERSON
RUDY THOMAS, ET AL V. BANK OF CLINTON COUNTY	2003-SC-000360-D	CLINTON

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**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW ENTERED –
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DAVID ALAN CAVINS V. COMMONWEALTH OF KENTUCKY	2003-SC-000369-D	GRANT
ROBERT EUGENE SMITH V. GLENN HAEBERLIN, WARDEN	2003-SC-000393-D	LYON
BRUCE MCMANUS V. KENTUCKY RETIREMENT SYSTEMS, ET AL DECISION OF COURT OF APPEALS IS ORDERED TO BE PUBLISHED.	2003-SC-000525-D	FRANKLIN
ROBERT R. CAMPBELL V. REPUBLIC BANK & TRUST COMPANY	2003-SC-000528-D	FAYETTE
BARRY LYNN HAVENER V. COMMONWEALTH OF KENTUCKY	2003-SC-000529-D	DAVIESS
DALE LEE OWENS V. COMMONWEALTH OF KENTUCKY	2003-SC-000607-D	FAYETTE
ROGER WHITAKER V. COMMONWEALTH OF KENTUCKY	2003-SC-000609-D	BULLITT
WARREN M. COX, IV, M.D. V. KENTUCKY BOARD OF MEDICAL LICENSURE	2003-SC-000629-D	JEFFERSON
MICHAEL LYNN YEAGER V. COMMONWEALTH OF KENTUCKY	2003-SC-000643-D	JEFFERSON
CATHY ROGERS, ET AL V. PHILLIP LAWSON, ET AL	2003-SC-000676-D	MENIFEE
NICOLE RAGOZINE V. COMMONWEALTH OF KENTUCKY	2003-SC-000683-D	MEADE

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**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW ENTERED –
JANUARY 14, 2004**

CHRISTOPHER GRAMMER V. COMMONWEALTH OF KENTUCKY	2003-SC-000691-D	MEADE
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COURT ORDER GRANTING MOTION TO TRANSFER – ENTERED JANUARY 22, 2004

BRENDA HUMPHREY V. COMMONWEALTH OF KENTUCKY AND GREGORY WILSON V. COMMONWEALTH OF KENTUCKY	2003-SC-000671-TG 2003-SC-000672-TG	KENTON KENTON
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COURT ORDERS DENYING PETITION FOR REHEARING – ENTERED JANUARY 22, 2004

KENTUCKY DEPARTMENT OF CORRECTIONS, ET AL V. PATRICIA MCCULLOUGH	2000-SC-000727-DG 2001-SC-000146-DG	BOYLE
EDDIE MADDING V. COMMONWEALTH OF KENTUCKY	2001-SC-000570-MR	FULTON
CORTEZ MASON, ETC., ET AL V, CITY OF MT. STERLING, KENTUCKY, ET AL	2001-SC-000813-DG	MONTGOMERY
ROGER LEE BELL, JR., V. COMMONWEALTH OF KENTUCKY	2002-SC-000117-DG	FAYETTE
KURT ROBERT SMITH V. COMMONWEALTH OF KENTUCKY	2002-SC-000293-MR	FAYETTE
GARRETT MINING COMPANY V. LLOYD W. NYE, ET AL	2002-SC-000455-WC	FROM COURT OF APPEALS

SUPREME COURT OF KENTUCKY

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JANUARY 22, 2004

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COURT ORDERS DENYING PETITIONS FOR REHEARING ENTERED JANUARY 22, 2004

JONATHAN A. BRUCE V. COMMONWEALTH OF KENTUCKY	2002-SC-000482-MR	HARDIN
GREGORY D. SPEARS, JR., V. COMMONWEALTH OF KENTUCKY	2002-SC-000544-MR	FULTON
COMMONWEALTH OF KENTUCKY V. STEPHEN RYAN, JUDGE JEFFERSON CIRCUIT COURT, ET AL	2002-SC-000852-MR 2002-SC-000866-MR	FROM COURT OF APPEALS
LAUREL COOKIE FACTORY V. ANNA FORMAN, ET AL	2002-SC-000867-WC	FROM COURT OF APPEALS
RONNIE FITTS V. COMMONWEALTH OF KENTUCKY	2002-SC-001072-MR	FULTON

COURT ORDERS

COMMONWEALTH OF KENTUCKY V. DAVID BUCHANON ORDER MODIFYING OPINION RENDERED DECEMBER 18, 2003 BY SUBSTITUTION OF PAGE ONE OF OPINION TO CORRECT TYPOGRAPHICAL ERROR. ENTERED: JANUARY 12, 2004	2001-SC-001056-DG	BUTLER
PATRICK C. HICKEY V. KENTUCKY BAR ASSOCIATION ORDER GRANTING MOTION TO AMEND THIS COURTS OPINION AND ORDER OF OCTOBER 23, 2003, REINSTATING MR. HICKEY TO THE PRACTICE OF LAW. ENTERED: JANUARY 5, 2004	2002-SC-000577-KB	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

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JANUARY 22, 2004

RELEASED: 2:00 P.M.

COURT ORDERS

BITUMINOUS CASUALTY CORP. V. TILMOND DURHAM, ET AL ORDER GRANTING MOTION TO WITHDRAW MOTION FOR DISCRETIONARY REVIEW. ENTERED: DECEMBER 31, 2003	2003-SC-000192-D	CLINTON
KENTUCKY BAR ASSOCIATION V. PATRICK HERMAN NOBLE ORDER AMENDING OPINION AND ORDER ENTERED OCTOBER 23, 2003 AND AMENDED NOVEMBER 25, 2003 TO CORRECT TYPOGRAPHICAL ERRORS. ENTERED: JANUARY 8, 2004	2003-SC-000613-KB	IN SUPREME COURT
LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, ET AL V. JOHN AUBREY IN HIS OFFICIAL CAPACITY AS JEFFERSON COUNTY SHERIFF ORDER DENYING MOTION FOR RECONSIDERATION ENTERED: JANUARY 22, 2004	2003-SC-000729-I	JEFFERSON
HAROLD BAKER V. CITY OF LOUISVILLE, ET AL ORDER DISMISSING APPEAL. ENTERED: JANUARY 13, 2004	2003-SC-000822-WC	FROM COURT OF APPEALS
WEBSTER COUNTY COAL CORP., V. JIMMIE D. LEE, ET AL ORDER GRANTING APPELLEE MOTION TO DISMISS. ENTERED: JANUARY 15, 2004	2003-SC-000919-WC	FROM COURT OF APPEALS

SUPREME COURT OF KENTUCKY

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JANUARY 22, 2004

RELEASED: 2:00 P.M.

COURT ORDERS

KENTUCKY BAR ASSOCIATION, CLE COMMISSION V. ALAN MICHAEL KAPLAN RESPONDENT IS ORDERED TO PAY A FINE FOR NON-COMPLIANCE WITH CLE REQUIREMENTS. ENTERED: JANUARY 6, 2004	2003-SC-000977-KB	IN SUPREME COURT
KENTUCKYBAR ASSOCIATION, CLE COMMISSION V. MITCHELE JAMES HARLAN RESPONDENT IS ORDERED TO PAY A FINE FOR NON-COMPLIANCE WITH CLE REQUIREMENTS. ENTERED: JANUARY 8, 2004	2003-SC-000995-KB	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION, CLE COMMISSION V. MICHAEL TAYLOR MEEHAN RESPONDENT IS ORDERED TO PAY A FINE FOR NON-COMPLIANCE WITH CLE REQUIREMENTS. ENTERED: JANUARY 9, 2004	2003-SC-001005-KB	IN SUPREME COURT
KENTUCKY BAR ASSOCIATION, CLE COMMISSION V. MICHAEL D. LUTES RESPONDENT IS ORDERED TO PAY A FINE FOR NON-COMPLIANCE WITH CLE REQUIREMENTS. ENTERED: JANUARY 6, 2004	2003-SC-001006-KB	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

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RELEASED: 2:00 P.M.

COURT ORDERS

KENTUCKY BAR ASSOCIATION, CLE COMMISSION V. MICHAEL BARRY SANDERS RESPONDENT IS ORDERED TO PAY A FINE FOR NON-COMPLIANCE WITH CLE REQUIREMENTS. ENTERED: JANUARY 6, 2004	2003-SC-001010-KB	IN SUPREME COURT
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KENTUCKY BAR ASSOCIATION, CLE COMMISSION V. EDWARD KERNEY BLACK RESPONDENT IF ORDERED TO PAY A FINE FOR NON-COMPLIANCE WITH CLE REQUIREMENTS. ENTERED: JANUARY 8, 2004	2003-SC-001016-KB	IN SUPREME COURT
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**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF
THE KENTUCKY BAR ASSOCIATION.**

JACQUELINE YVONNE JOHNSON V. KENTUCKY BAR ASSOCIATION	2003-SC-001020-KB	IN SUPREME COURT
MARGARET HORNBECK GREENE V. KENTUCKY BAR ASSOCIATION	2003-SC-001021-KB	IN SUPREME COURT
MARY ANN GARNAR V. KENTUCKY BAR ASSOCIATION	2004-SC-000040-KB	IN SUPREME COURT